

SECURITIES AND EXCHANGE
COMMISSION,

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§

§

Plaintiff,

§

§

v.

Civil Action No. 3:10-CV-1178-M

JOHN W. PETROS,

§

§

Defendant.

§

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Plaintiff's February 28, 2012 objections to the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, and conducting a *de novo* review of those parts of the Findings and Conclusions to which objections have been made, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Defendant John W. Petros' (Petros) motions to alter or amend judgment (doc. 33) and to strike or deny Plaintiff Securities and Exchange Commission's (SEC) motions to strike, to strike references to third parties, and for dismissal and judgment (*see* docs. 42,55) are **DENIED**; the SEC's motion to strike (*see* doc. 39) Petros' motion to alter or amend judgment [doc. 33] is **DENIED as moot**; the SEC's motion (doc. 39) to strike Petros' counterclaims and crossclaims [doc. 26] and motions to strike (docs. 47, 107, 126) the first three third party complaints [docs. 37, 109, 114] are **GRANTED**; Petros' counterclaims and crossclaims [doc. 26] are **STRICKEN**; all four of the third party complaints [docs. 37, 109, 114, 127] are **STRICKEN**; and the motions for separate trial (docs. 44, 55) and for summary judgment (docs. 127, 128) based on the stricken third party complaints are **DENIED as moot**.

In addition, Petros is ordered not to file in this case (1) any additional motions to

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reconsider, alter, or amend the order instructing the Clerk not to enter default judgment or the
orders denying such motions; (2) any motions to reconsider, alter, or amend the orders striking
counterclaims, crossclaims, or third party complaints; or (3) any additional counterclaims,
crossclaims, or third party complaints. The SEC is ordered not to file multiple motions seeking
the exact same relief. The parties are ordered to not respond to a motion of the opposing party
with a motion to deny or to strike the motion, but to only file a response to the motion.

SO ORDERED this 7th day of March, 2012.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS